

REMARKS

This Amendment is being filed in response to an Office Action mailed on March 8, 2005. Claims 1-29 are pending in this application, of which claims 1-11, 16-23, 28 and 29 stand rejected and claims 12-15 and 24-27 are deemed to contain allowable subject matter and are objected to only as being dependent upon rejected base claims. Claims 1, 17, 29 and 30 are independent. In this Amendment, claims 1, 17 and 29 have been amended and claim 30 has been added. Applicants respectfully maintain that the amendment was made solely for the purpose of expediting prosecution of the application, and therefore should not be construed to limit the scope of the claims in any way. Applicants respectfully maintain that no new subject matter has been added. Accordingly, claims 1-30 remain pending in this application. Applicants respectfully request reconsideration of the present application in light of the foregoing amendments and the following remarks.

Allowable Subject Matter

Applicants note with appreciation that the Examiner indicated claims 12-15 and 24-27 are deemed to contain allowable subject matter and are objected to only as being dependent upon rejected base claims. Claims 12 and 24 disclose a card holder system wherein the card holder “may be selectively positioned” in at least two orientations, which is not taught or suggested by any of the references cited by the Examiner. This selective positioning of the card holder feature described in claims 12 and 24 were incorporated into independent claims 1, 17 and 29 and newly added independent claim 30, and therefore, Applicants respectfully maintain that claims 1-30 are in condition for allowance.

Rejections under 35 U.S.C. §102(b)

U.S. Patent No. 5,129,614 to Kohl

In the Office Action, claims 1, 2, 5, 8, 17, 19, 20, 22 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,129,614 to Kohl ("Kohl"). Applicants respectfully maintain that Kohl is directed to a card holder having a mounting structure for mounting the card holder to a cage bar and "[prevent] the plate from rattling". Col. 2, lines 6-7. Accordingly, Applicants respectfully maintain that Kohl fails to teach at least the "adapter member" to permit various orientations of the card holder or a card holder that is "pivotally displaceable". Rather, Kohl, which describes a mounting structure that "prevents the plate from rattling", teaches away from the invention as claimed because the card holder of the invention is moveable and therefore would "rattle" against the cage. Accordingly, Applicants respectfully maintain that claims 1-30 are not anticipated by Kohl and are in condition for allowance.

U.S. Patent No. 5,526,598 to Watanabe

In the Office Action, claims 1, 2, 7, 8, 11, 17, 22 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,526,598 to Watanabe ("Watanabe"). Applicants respectfully maintain that Watanabe is directed to a card holder having a mounting structure for retaining the card holder on the front surfaces of a wire-netting cage, and fails to teach or suggest an "adapter member" to permit various orientations of the card holder or a card holder that is "pivotally displaceable". Accordingly, Applicants respectfully maintain that claims 1-30 are not anticipated by Watanabe and are in condition for allowance.

U.S. Patent No. 3,029,537 to Hopp et al.

In the Office Action, claims 1-5, 8, 11, 17-20, 22 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,029,537 to Hopp et al. ("Hopp"). Applicants respectfully maintain that Hopp is directed to a card holder suitable for mounting on a basket via pressed out portions. Similar to the references discussed above, Hopp fails to teach or suggest an "adapter member" to permit various orientations of the card holder or a card holder that is "pivotally displaceable". Rather, whereas Hopp provides two different positions for the card holder, Hopp provides two different mounting positions, rather than different orientations of the card holder having a common mounting position. Even if the pressed out portions of Hopp is considered to correspond to the retaining member of the invention, Hopp fails to teach or suggest an "adapter member" or providing a card holder that is pivotally movable with respect to the retaining member. Accordingly, Applicants respectfully maintain that claims 1-30 are not anticipated by Hopp and are in condition for allowance.

U.S. Patent No. 3,287,841 to Spragg et al.

In the Office Action, claims 1, 2, 4, 6-9, 11, 17, 19, 21-23 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,287,841 to Spragg et al. ("Spragg"). Applicants respectfully maintain that Spragg is directed to a card holder that hangs from a shelf having a groove therein for retaining a flange of the card holder. Applicants respectfully maintain that Spragg fails to teach or suggest a card holder having an "adapter member" to permit various orientations of the card holder or a card holder that is "pivotally displaceable". Rather, Spragg only provides one position of the card holder. Accordingly, Applicants

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respectfully maintain that claims 1-30 are not anticipated by Spragg and are in condition for allowance.

U.S. Patent No. 4,690,100 to Thomas

In the Office Action, claims 1, 3, 4 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,690,100 to Thomas ("Thomas"). Applicants respectfully maintain that Thomas is directed to a card holder that attaches to a handle of a cage lid, and does not teach or suggest a card holder having an "adapter member" to permit various orientations of the card holder or a card holder that is "pivotally displaceable". In contrast, the card holder of Thomas can only be maintained in one position. Accordingly, Applicants respectfully maintain that claims 1-30 are not anticipated by Thomas and are in condition for allowance.

Accordingly, at least for the reasons stated above, Applicants respectfully maintain that claims 1-30 are not taught or suggested by Kohl, Watanabe, Hopp, Spragg or Thomas, either independently or in combination, and therefore, the application is in condition for allowance.

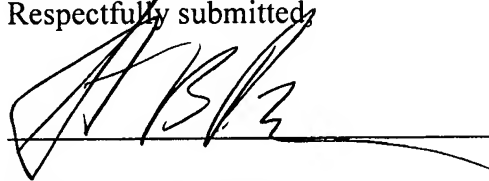
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CONCLUSION

Accordingly, Applicants submit that all of the claims in the application (i.e., 1-30) are in condition for allowance. Early and favorable consideration of the present application in view of the amendments to the claims and remarks provided herein is respectfully requested.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is due the amount of such fee may be charged to Deposit Account No. 19-4709.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Pokotilow', is written over a horizontal line.

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